

## REMARKS

Applicant respectfully requests the Examiner's reconsideration of the present application. No claims have been cancelled. Claims 1, 14, 22, 28 and 31 have been amended. New claim 34 has been added. Therefore, claims 1-24 and 26-34 are presented for examination.

### **Claim Amendments**

Applicant has amended the claims to more particularly point out what Applicant regards as their invention. No new matter has been added as a result of these amendments.

### **Rejections Under 35 U.S.C. §103(a)**

#### *Dabney in view of Mullins*

Claims 1-6, 9, 10, 14-18, 22-26, 28 and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dabney et al., U.S. Patent No. 6,643,663 ("Dabney") in view of Mullins, U.S. Patent No. 5,100,154 ("Mullins"). Applicant respectfully submits that the present claims are patentable over the combination of Dabney and Mullins.

Dabney discloses a workflow for handling news stories using a content management system (CMS). When a news story breaks, reporters cover the news story. Content for the news story is prepared by human news editors. After approval, the completed news story is stored on content servers for distribution.

Mullins discloses a fictional writing game for participants to share in the composition of short stories. Participants compose beginnings of a short story in the genre chosen, about a character described by the character cards and write as much as possible within a set time limit. At the end of the time limit, story compositions are passed to another player and writing continues. The process is repeated until all participants have contributed to every other participant's story. The final stories are read and awards are given for the final compositions in categories such as best title and

best ending. The awards are determined based on voting by a show of hands by the participants.

Applicant respectfully submits that the combination does not teach or suggest each and every limitation of the claims. Independent claims 1, 14, 22 and 28, as amended, include the limitation of receiving votes online through a wide area network connection from multiple collaborators to determine whether content from the collaborators is included in a story. The Examiner has admitted that Dabney does not teach or suggest this limitation (Office Action, page 3, lines 7-8). Applicant submits that Mullins also does not teach or suggest this limitation. Applicant's claimed votes are to determine whether content is included in a story. In contrast, Mullins' voting is to assign awards based on completed stories (i.e. the final story after all participants have contributed). Further, Mullins' awards are given to the final compositions in categories such as "best title" and "best ending"; the voting is not to determine whether to include content in a story, as claimed. Additionally, Applicant claims receiving votes online through a wide area network from multiple collaborators. In contrast, Mullins discloses that the voting is by a show of hands by the participants. Thus, there is no teaching or suggestion in Mullins to receive votes through a wide area network as claimed, nor is there a motivation to do so, as the participants in Mullins are disclosed as being together in the same location (i.e., close enough together to see each other's hands when voting). Thus, Mullins does not teach or suggest Applicant's claimed limitation. Therefore, neither Dabney, Mullins, nor the combination teach or suggest Applicant's claimed limitations.

Furthermore, Applicant respectfully submits that there is no suggestion or motivation to combine Dabney and Mullins as suggested by the Examiner. The Examiner's suggested motivation for combining Dabney and Mullins was "to allow users to reward for the quality of a participant's submission." Dabney is directed to a computerized content management system for the preparation of news stories, in which news editors approve stories for distribution. Mullins is directed to a writing game where players contribute to create collaborative fictional stories, after which the players vote on the completed stories to assign awards. There is nothing in either reference, or in the

art as a whole, that would motivate one of skill in the art to combine a news content management system as taught by Dabney, with the fictional writing game as taught by Mullins. In addition, such a modification of Dabney would require a substantial change in Dabney's principle of operation, i.e., Dabney would be modified from a system for managing distribution of news content to a system for awarding fictional writing. Therefore, the combination is improper since there is no motivation to combine the cited references.

Accordingly, independent claims 1, 14, 22, and 28 and claims 2-6, 9, 10, 15-18, 23-24, 26 and 29 that depend from them, are patentable over the combination of Dabney and Mullins, and Applicant respectfully requests withdrawal of the rejection of the claims under 35 U.S.C. §103(a).

*Dabney in view of Plantz*

Claims 7 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dabney et al., U.S. Patent No. 6,643,663 ("Dabney") in view of Plantz et al., U.S. Patent No. 6,088,702 ("Plantz"). Applicant respectfully submits that the present claims are patentable over the combination of Dabney and Plantz.

Plantz discloses a Group Publishing System for permitting coordinated publishing, assembly and administration of texts by authors or editors. When an editor signs into the system, access is given to the editor to a menu of topics, subtopics, or chapters for which work by the authors is either complete or which is awaiting editing. A menu of topics that have already been edited by this editor and which are approved for further editing by other types of editors (e.g., a grammar editor) is also provided.

Claims 7 and 8 depend from independent claim 1. Independent claim 1, as amended, includes the limitation of determining if the content from each of the multiple collaborators is approved for inclusion in the story based on votes received online through a wide area network connection from at least a subset of the multiple collaborators. As discussed above for claim 1, the Examiner has admitted that Dabney does not teach or suggest this limitation. Applicant respectfully submits that Plantz also does not teach or suggest the missing limitation. Plantz is directed to coordinating the

assembly of texts, and does not teach or suggest voting online by collaborators on their contributed content, as claimed. Accordingly, Applicant respectfully submits that claims 7 and 8 are not rendered obvious by the combination of Dabney and Plantz under 35 U.S.C. §103(a), and respectfully requests the withdrawal of the rejection of the claims.

*Dabney in view of Mullins*

Claims 11-13, 19-21, 27, and 30-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dabney in view of Mullins. Applicant respectfully submits that the present claims are patentable over the combination of Dabney and Mullins. Applicant respectfully believes that in the present Office Action, the Examiner has not provided appropriate reasoning for the rejection. The Office Action merely states that the claims are rejected, but no reasoning is provided. If the Examiner should persist in the rejection of the claims, Applicant respectfully requests that the Examiner provide detailed reasoning for the rejection so that Applicant may seek to counter the grounds for rejection. For the purposes of the present response, Applicant assumes that the Examiner relies on a similar rationale for the rejection as outlined at page 11 of the Office Action mailed May 18, 2004.

Claims 11-13, 19-21, 27, 30 and 32-33 depend from independent claims 1, 14, 22 and 31. Independent claims 1, 14, 22, as amended, include the limitation of receiving votes online through a wide area network from multiple collaborators to determine whether content from the collaborators is included in a story. As discussed above for independent claims 1, 14 and 22, the combination of Dabney and Mullins does not teach or suggest this limitation. Furthermore, independent claim 31, as amended, includes the limitation of receiving a vote from the viewer of the story online through a wide area network. For at least the reasons discussed above, the combination of Dabney and Mullins does not teach or suggest the claimed limitation.

Accordingly, Applicant respectfully submits that claims 11-13, 19-21, 27 and 30-33 are not rendered obvious by the combination of Dabney and Mullins under

35 U.S.C. §103(a), and respectfully requests the withdrawal of the rejection of the claims.

#### **New Claim**

Applicant has added claim 34. Applicant respectfully submits that the newly added claim is patentable over the cited references for at least the reasons discussed above.

#### **Comments on Examiner's Response to Argument**

Applicant respectfully believes that in the "Response to Argument" section of the present Office Action, the Examiner has misinterpreted Applicant's statements at page 9, lines 23-25 in the Amendment filed on August 18, 2004. In particular, Applicant has not relied on "human news editors" as being a feature of Applicant's invention. Applicant's claims do not recite such a limitation.

### Conclusion

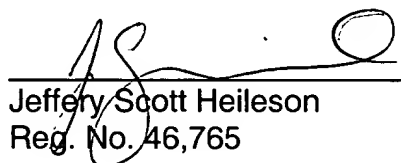
Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome and the pending claims are in condition for allowance.

If the Examiner determines the prompt allowance of the claims could be facilitated by a telephone conference, the Examiner is invited to contact Scott Heilesen at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,  
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